

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA**§ 45.1-361.26****VIRGINIA:****BEFORE THE GAS AND OIL BOARD****APPLICANTS:**

CNX Gas Company LLC on behalf of Hurt McGuire Land Trust and Daniel J Osborne.
Hurt McGuire Land Trust and CNX Gas.
Hurt McGuire Land Trust and certain heirs of the Ivory Horn heirship property.

DOCKET NO.**98-0324-0625-07****RELIEF SOUGHT:**

Issuance: A Supplemental Order for Disbursement of Escrowed Funds
Action: Amending Prior Orders Affecting Drilling **T-36**,
a portion of Tracts 2A and 3C plus Tract 2B.
(Referenced herein as "the Subject Drilling Unit")

Location: Buchanan County, Virginia

Action Details:

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit **T-36** by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling

REPORT OF THE BOARD**FINDINGS AND ORDER**

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on March 16, 2010 at the Russell County Government Complex, Conference Center, and 139 Highland Drive, Lebanon, VA.
2. **Appearances:** Mark A. Swartz, Esq. SWARTS Law Offices PLLC appeared for the Unit Operator; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it **does not** have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it **does not** have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, **the Board does have jurisdiction and authority to disburse funds from the Escrow Account** provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. (a) On March 24, 1998, the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Buchanan County on May 14, 1998, Instrument Number 980001159. The Board executed its Supplemental Order Regarding Elections that was filed with the Clerk on July 14, 1998, Instrument Number 980001721.
- 4.1.1 The Board executed its Supplemental Order regarding a Modification of the Pooling Order and making additions and corrections from the unit operator; filed with the Clerk on September 16, 1999, Instrument Number 990002432. The Board executed a Supplemental Order Regarding Elections to the pooling modifications in September, filed with the Clerk on May 3, 2000, Instrument Number 000001326. (hereafter all orders are collectively referred to as the "Pooling Orders").
- 4.1.2 The Board executed its Supplemental Order regarding a Modification of the Pooling Order and making additions and corrections from the unit operator; filed with the Clerk on January 31, 2000, Instrument Number 000000245. The Board executed a Supplemental Order Regarding Elections to the pooling modifications in September, filed with the Clerk on May 3, 2000, Instrument Number 000001326. (hereafter all orders are collectively referred to as the "Pooling Orders").
- 4.1.3 On April 2, 2004, the Board executed its order pooling (re-pooling) interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Buchanan County on April 2, 2004, Instrument Number 040001004. The Board executed a Supplemental Order Regarding Elections to the pooling modifications in April, filed with the Clerk on September 6, 2006, Instrument Number 060003155. (hereafter all orders are collectively referred to as the "Pooling Orders").
- 4.1.4 On May 16, 2006, the Board executed its disbursement order VGOB 98-0324-0625-**04** in the Subject Drilling Unit for certain parties of the Thomas Stilwell Heirs and the Albert Ball Heirs under a split agreement with Hurt McGuire Land Trust. The Disbursement Order and exhibits were filed with the Clerk of the Circuit Court of Buchanan County on September 26, 2006, Instrument Number 060003143.
- 4.1.5 On June 19, 2007, the Board executed its disbursement order VGOB 98-0324-0625-**05** in the Subject Drilling Unit for Arthur Stilwell and Donald Nipper under a split agreement with Hurt McGuire Land Trust. The Disbursement Order and exhibits were filed with the Clerk of the Circuit Court of Buchanan County on August 28, 2007, Instrument Number 070003164.
- 4.1.6 On February 17, 2009, the Board executed its disbursement order VGOB 98-0324-0625-**06** in the Subject Drilling Unit for Joe Nipper and certain heirs of the Thomas Stilwell heirship under a split agreement with Hurt McGuire Land Trust. The Disbursement Order and exhibits were filed with the Clerk of the Circuit Court of Buchanan County on August 4, 2009, Instrument 090002344.
- 4.2 To the extent claims to the Gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, the coal estate ownership interests of Hurt McGuire Land Trust; and the gas ownership interests of Daniel J. Osborne in Tract 2A; CNX Gas Company LLC in Tract 2B; and certain heirs of the Ivory Horn Estate in a portion of Tract 3C, in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3 The Unit Operator's Miscellaneous Petition regarding a portion of tract 2A, tract 3C and Tract 2B, a copy of which is attached to and made a part hereof, states under oath that Hurt McGuire Land Trust and the Applicants have entered into an agreement with regards to a portion of Tracts 2A, 3C, and Tract 2B, and that by the terms of the agreements, Hurt McGuire Land Trust has entered into a split agreement regarding these tracts and escrow regarding these individual conflicting claims detailed herein, is no longer required for these parties.
- 4.4 The Unit Operator gave notice to Hurt McGuire Land Trust and the applicants that the Board would consider its disbursement authorization at its hearing on March 16, 2010 and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to a

portion of tract 2A and tract 2Cs identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tract 2A, 3C and Tract 2B the interests of Applicants identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because there are other parties under this order subject to continued payments in the escrow.

4.5 The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. Findings:

5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 Applicant has certified and represented to the Board that:

(1) Hurt McGuire Land Trust and Daniel J. Osborne. Hurt McGuire Land Trust and CNX Gas Company LLC. Hurt McGuire Land Trust and certain individuals of the Ivory Horn heirship property in tract 3C; are the owners of the coal and gas acreage estate underlying a portion of VGOB Tracts 2A, 3C and VGOB Tract 2B of the Subject Drilling Unit;

(2) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

VGOB Approved Disbursement VGOB 98-0324-0625-07 UNIT T-36			Fractional Ownership in Tract	Net Acreage in Tract	Royalty Split Agreement	Escrowed Acreage Disbursed	Percent of Escrowed Funds Disbursed
Table 1							
Item	Tract	Disbursement Table					
		Total acreage in escrow before disbursement				23,6217	
	2A	Hurt McGuire Land Trust	32.3				
1	2A	Hurt McGuire Land Trust c/o Charlie Green; PO Box 1067; Bluefield VA 24605		0.4486	50.0%	0.224	0.9496%
2	2A	Daniel J. Osborne / 1995 Altizer Road / Raven, VA 24641	1/72	0.4486	50.0%	0.224	0.9496%
	2B	Hurt McGuire Land Trust	1.25				
3		Hurt McGuire Land Trust c/o Charlie Green; PO Box 1067; Bluefield VA 24605		1.2500	50.0%	0.625	2.6459%
4	2B	CNX Gas Company LLC / 2481 John Nash Blvd. Bluefield, WV 24701 (Previously Walter Underwood - Purchased from his heirs by CNX)	1	1.2500	50.0%	0.625	2.6459%
	3C	Hurt McGuire Land Trust	.87				
5		Hurt McGuire Land Trust c/o Charlie Green; PO Box 1067; Bluefield VA 24605		0.3673	50.0%	0.184	0.7775%
6	3C	Patricia D. Horton / 200 Birch Street / Raven, VA 24639	1/180	0.004833	50.0%	0.002	0.0102%
7	3C	Nellie A. Maynard / PO Box 296 / Raven, VA 24639	1/180	0.004833	50.0%	0.002	0.0102%
8	3C	Danny W. Elder / PO Box 748 / Raven, VA 24639	1/180	0.004833	50.0%	0.002	0.0102%
9	3C	Robert G. Elder / 222 Law Ln. / Charlotte C. H. VA 23923	1/180	0.004833	50.0%	0.002	0.0102%
10	3C	Joseph P. Horne / 492 Gray Branch Road / Cedar Bluff, VA 24609	1/10	0.087000	50.0%	0.044	0.1842%
11	3C	Nancy H. Stilwell / 140 Rasnake Road / North Tazewell, VA 24630	1/10	0.087000	50.0%	0.044	0.1842%
12	3C	Martha Smith / PO Box 395 / Max Meadows, VA 24360	1/10	0.087000	50.0%	0.044	0.1842%
13	3C	Sarah K. Day / PO Box 208 / Peterstown WV 24963	1/10	0.087000	50.0%	0.044	0.1842%

6. **Relief Granted:**

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**


Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED.**

8. **Appeals:**

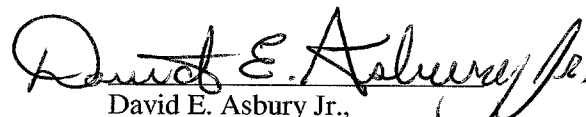
Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9. **Effective Date:** This Order shall be effective on the date of its execution.

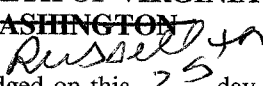
DONE AND EXECUTED this 25 day of May, ¹⁰~~2009~~ by a majority of the Virginia Gas and Oil Board.


Bradley C. Lambert, Chairman

DONE AND PERFORMED this 25 day of May, ²⁰¹⁰~~2009~~ by an Order of this Board.

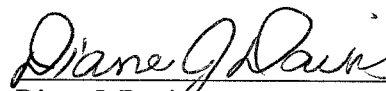

David E. Asbury Jr.,
Principal Executive to the Staff
Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA)
COUNTY OF WASHINGTON)


Acknowledged on this 25 day of May, 2010, personally before me a notary public in and for the Commonwealth of Virginia, appeared **Bradley C. Lambert**, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and **David E. Asbury Jr.**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

My commission expires: 09 / 30 / 2013




Diane J. Davis
Notary Public #174394

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

DIVISION OF GAS AND OIL
DOCKET NO: VGOB 98-0324-0625-07

RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING a portion of TRACT(S) 2A, 2B, 3B & 3C (Combined)
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES

DRILLING UNIT: T-36

HEARING DATE: March 16, 2010

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is CNX Gas Company LLC, 2481 John Nash Boulevard, Bluefield, WV 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 2A, 2B, 3B & 3C (Combined) as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Hurt McGuire Land Trust and Daniel J. Osborne, Hurt McGuire Land Trust and Patricia D. Horton, Nellie A. Maynard, Danny W. Elder, Robert G. Elder, Joseph P. Horne, Nancy Ann Horn Stilwell, Martha Smith, and Sarah Horn Day, Hurt McGuire Land Trust and CNX Gas Company LLC

3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Hurt McGuire Land Trust and Daniel J. Osborne, Hurt McGuire Land Trust and Patricia D. Horton, Nellie A. Maynard, Danny W. Elder, Robert G. Elder, Joseph P. Horne, Nancy Ann Horn Stilwell, Martha Smith, and Sarah Horn Day Hurt McGuire Land Trust and CNX Gas Company LLC have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, further, specifies how said royalties are to be divided and paid.

6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC, PETITIONER

By: _____

Anita D. Duty
Pooling Supervisor
CNX Land Resources, Inc.
2481 John Nash Blvd.
Bluefield, West Virginia 24701

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, INC. AND WERE NOT SURVEYED.

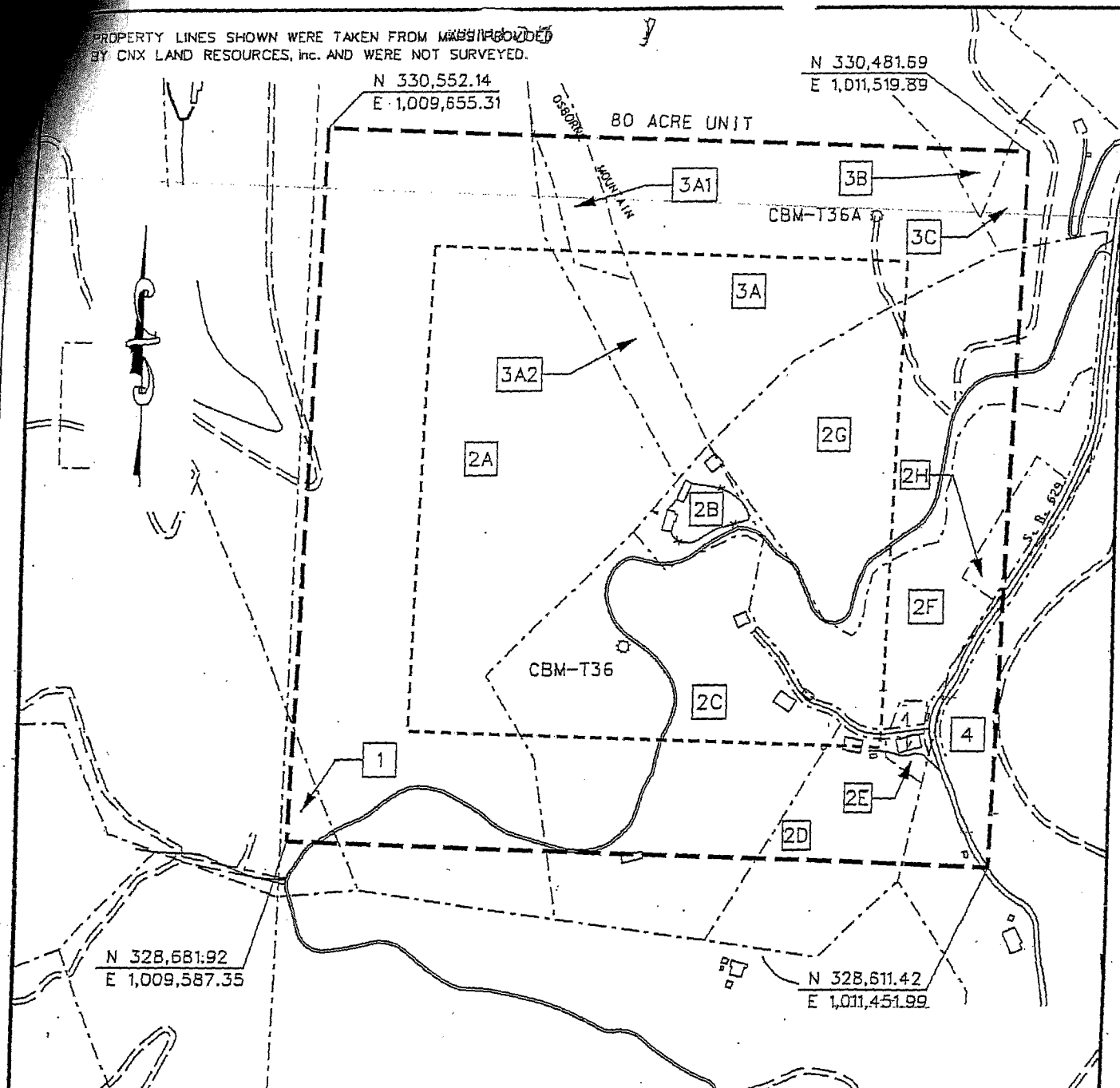


EXHIBIT-A
OAKWOOD FIELD
UNIT T-36
FORCE POOLING
VGOB-98-0324-0625-03

Company CNX Gas Company LLC Well Name and Number UNIT T36
 Tract No. _____ Elevation _____ Quadrangle Keen Mountain
 County Buchanan District Garden Scale: 1" = 400' Date 11/2/03
 This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GD-7
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC
UNIT T-36
Tract Identification

H. S. T. Group - All Minerals

Island Creek Coal Company/Consolidation Coal Company - Below Drainage Coal Leased

Jewell Smokeless Coal Corporation - Above Drainage Coal Leased

CNX Gas Company LLC - CBM Leased

Consolidation Coal Company - Surface

0.45 acres

0.5625%

2A.

Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal

Consolidation Coal Company - Below Drainage Coal Leased

A. T. Massey - Above Drainage Coal Leased

CNX Gas Company LLC - CBM Leased

Thomas Stilwell Heirs - Surface and All Minerals except Coal

CNX Gas Company LLC - Oil, Gas and CBM Leased (71/72)

32.30 acres

40.3750%

2B.

Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal

Consolidation Coal Company - Below Drainage Coal Leased

A. T. Massey - Above Drainage Coal Leased

CNX Gas Company LLC - CBM Leased

Walter Underwood - Surface and All Minerals except Coal

1.25 acres

1.5625%

2C.

Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal

Consolidation Coal Company - Below Drainage Coal Leased

A. T. Massey - Above Drainage Coal Leased

CNX Gas Company LLC - CBM Leased

Joe Nipper - Surface and All Minerals except Coal

12.07 acres

15.0875%

2D.

Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal

Consolidation Coal Company - Below Drainage Coal Leased

A. T. Massey - Above Drainage Coal Leased

CNX Gas Company LLC - CBM Leased

Donald Nipper - Surface and All Minerals except Coal

2.21 acres

2.7625%

2E.

Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal

Consolidation Coal Company - Below Drainage Coal Leased

A. T. Massey - Above Drainage Coal Leased

CNX Gas Company LLC - CBM Leased

Osborne Mountain Pentecostal Church - Surface and All Minerals except Coal

0.29 acres

0.3625%

CNX Gas Company LLC

UNIT T-36

Tract Identification

Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Mitchell Counts, et al - Surface and All Minerals except Coal
5.65 acres 7.0625%

2G. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Albert Ball Heirs - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
9.64 acres 12.0500%

2H. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Rodney D. Taylor, et ux - Surface and All Minerals except Coal
0.33 acres 0.4125%

3A. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Linkous Horn Heirs - All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased (10%)
Danny McClanahan - Surface, (Oil and Gas Claimant)
9.48 acres 11.8500%

3A1. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Linkous Horn Heirs/Thomas Stilwell Heirs - All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased (10%) If owned by Linkous Horn Heirs
CNX Gas Company LLC - Oil, Gas and CBM Leased (71/72) If owned by Thomas Stilwell Heirs
Danny McClanahan - Surface, (Oil and Gas Claimant)
1.03 acres 1.2875%

CNX Gas Company LLC

UNIT T-36

Tract Identification

12. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Linkous Horn Heirs/Thomas Stilwell Heirs - All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased (10%) If owned by Linkous Horn Heirs
CNX Gas Company LLC - Oil, Gas and CBM Leased (71/72) If owned by Thomas Stilwell Heirs
Danny McClanahan - Surface, (Oil and Gas Claimant)
2.03 acres 2.5375%
- 3B. & 3C. Hurt McGuire Land Trust (William P. Stilwell 143.6 Acre Tract) - Coal
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - CBM Leased
Linkous Horn Heirs - All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
Arlen Osborne - Surface
0.87 acres 1.0875%
- 3B. Arlen Osborne - Surface
3C. Willard Osborne - Surface
4. Coal Mountain Mining Company L.L.P. Tr. 26 - Fee
Consolidation Coal Company - Below Drainage Coal Leased
A. T. Massey - Above Drainage Coal Leased
CNX Gas Company LLC - Oil, Gas and CBM Leased
2.40 acres 3.0000%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
<u>Tract #2A, 32.30 acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	32.30 acres	40.37500%	2.32040%	6.60124%
<u>OIL & GAS OWNERSHIP</u>				
(1) Thomas Stilwell Heirs, Devisees, Successors or Assigns	32.30 acres	40.37500%	2.32040%	6.60124%
(6) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(g) Sylvia A. Shelton 549 Jacks Creek Road Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
(7) Sylvester Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Cora Arnold Heirs, Devisees, Successors or Assigns				
(a.1) James H. Arnold, widower P. O. Box 626 Raven, VA 24637	1.3458 acres 1/24 of 32.30 acres	1.68229%	0.09668%	0.27505%
(g) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609-2216	0.4486 acres 1/72 of 32.30 acres	0.56076%	0.03223%	0.09168%
<u>Tract #2E, 0.29 acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.29 acres	0.36250%	0.02083%	0.05927%
<u>OIL & GAS OWNERSHIP</u>				
(1) Trustees of Osborne Mountain Pentecostal C c/o Luther Bowman, Pastor HC 62, Box 174 Raven, VA 24639	0.29 acres	0.36250%	0.02083%	0.05927%
<u>Tract #2F, 5.65 acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	5.65 acres	7.06250%	0.40589%	1.15471%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
<u>OIL & GAS OWNERSHIP</u>				
(1) Mitchell Counts, et al.	5.65 acres	7.0625%	0.40589%	1.15471%
(a) Mitchell Counts P. O. Box 57 Shortt Gap, VA 24647	2.83 acres 1/2 of 5.65 acres	3.5313%	0.20295%	0.57735%
(b) Sandra Counts c/o Patrick Counts 311 Clinch Avenue Raven, VA 24639	2.83 acres 1/2 of 5.65 acres	3.5313%	0.20295%	0.57735%

Tract #2H, 0.33 acres

COAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.33 acres	0.41250%	0.02371%	0.06744%
--	------------	----------	----------	----------

OIL & GAS OWNERSHIP

(1) Rodney D. Taylor, et ux. P.O. Box 706 Oakwood, VA 24631	0.33 acres	0.4125%	0.02371%	0.06744%
---	------------	---------	----------	----------

Tract #3A, 9.48 acres

Escrow due to title conflict / Surface Claimant

COAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	9.48 acres	11.85000%	0.68103%	1.93745%
--	------------	-----------	----------	----------

OIL & GAS OWNERSHIP

Linkous Horn Heirs, Devisees, Successors or Assigns	9.48 acres	11.85000%	0.68103%	1.93745%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.3160 acres 1/30 of 9.48 acres	0.39500%	0.02270%	0.06458%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.3160 acres 1/30 of 9.48 acres	0.39500%	0.02270%	0.06458%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.3160 acres 1/30 of 9.48 acres	0.39500%	0.02270%	0.06458%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

		Acres in Unit	Percent of Unit	Division of Interest in	
				6-Right 5.74713%	7-Right 16.34981%
(2)	Lydia Blankenship Heirs, Devisees, Successors or Assigns				
(a)	Mary Jane Keen 1077 Longwall LN Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
(b)	Shirley Keen 1685 Honaker Branch Road Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
(c)	Patsy Moore 6985 Horn Mountain Road Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>					
(d)	Brenda Sue Justice 1101 Long Wall Lane Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>					
(e)	James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>					
(f)	Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1)	Phyllis W. Osborne Rt 1 Box 157F Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>					
(g)	Ronnie Osborne Box 12 Oakwood, VA 24631	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>					
(h)	Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>					
(i)	Richard Osborne P. O. Box 541 Keen Mountain, VA 24624	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen (Deed of Gift to Joyce Lineberry Mae 3/16/03)				
(j.1.1) Joyce Lineberry Mae c/o Rose Mae P.O. Box 172 Cooleemee, NC 27014	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0862 acres 1/110 of 9.48 acres	0.10773%	0.00619%	0.01761%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.3160 acres 1/30 of 9.48 acres	0.39500%	0.02270%	0.06458%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns Heirs / Address Unknown	0.3160 acres 1/30 of 9.48 acres	0.39500%	0.02270%	0.06458%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton 1 Birch Street Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.06583%	0.00378%	0.01076%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.06583%	0.00378%	0.01076%
(c.3) Tammy D. Boyd 1005 Kents Ridge Road Richlands, VA 24641	0.0527 acres 1/180 of 9.48 acres	0.06583%	0.00378%	0.01076%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0527 acres 1/180 of 9.48 acres	0.06583%	0.00378%	0.01076%
(c.5) Danny W. Elder P.O. Box 748 Raven, VA 24639	0.0527 acres 1/180 of 9.48 acres	0.06583%	0.00378%	0.01076%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

		Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(c.6)	Robert G. Elder 222 Law Ln. Charlotte C.H., VA 23923	0.0527 acres 1/180 of 9.48 acres	0.06583%	0.00378%	0.01076%
(4)	Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.9480 acres 1/10 of 9.48 acres	1.18500%	0.06810%	0.19375%
(5)	Joseph P. Horne 492 Gray Branch Road Cedar Bluff, VA 24609	0.9480 acres 1/10 of 9.48 acres	1.18500%	0.06810%	0.19375%
(6)	Nancy H. Stilwell 140 Rasnake Road North Tazewell, VA 24630	0.9480 acres 1/10 of 9.48 acres	1.18500%	0.06810%	0.19375%
(7)	Earnest Horn Heirs, Devisees, Successors or Assigns				
(a)	Dorothy Horn Heirs, Devisees, Successors or Assigns (Heirs/Addresses Unknown)	0.9480 acres 1/10 of 9.48 acres	1.18500%	0.06810%	0.19375%
(8)	Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.9480 acres 1/10 of 9.48 acres	1.18500%	0.06810%	0.19375%
(9)	Sarah Jane Horn Day P. O. Box 208 Peterstown, WV 24963	0.9480 acres 1/10 of 9.48 acres	1.18500%	0.06810%	0.19375%
(10)	Carl Horn Heirs, Devisees, Successors or Assigns				
(a)	Marilyn Taylor PO Box 285 Pounding Mill, VA 24637	0.9480 acres 1/10 of 9.48 acres	1.18500%	0.06810%	0.19375%

OIL & GAS CLAIMANT (Surface Owner)

(1)	Danny McClanahan P.O. Box 547 Oakwood, VA 24641	9.48 acres	11.85000%	0.68103%	1.93745%
-----	---	------------	-----------	----------	----------

Tract #3A1, 1.03 acres

Escrow due to title conflict / Surface Claimant

COAL OWNERSHIP

(1)	Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.03 acres	1.28750%	0.07399%	0.21050%
-----	--	------------	----------	----------	----------

OIL & GAS OWNERSHIP

	Linkous Horn Heirs, Devisees, Successors or Assigns	1.03 acres	1.28750%	0.07399%	0.21050%
--	--	------------	----------	----------	----------

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.0343 acres 1/30 of 1.03 acres	0.04292%	0.00247%	0.00702%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.0343 acres 1/30 of 1.03 acres	0.04292%	0.00247%	0.00702%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.0343 acres 1/30 of 1.03 acres	0.04292%	0.00247%	0.00702%
(2) Lydia Blankenship Heirs, Devisees, Successors or Assigns				
(a) Mary Jane Keen 1077 Longwall LN Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
(b) Shirley Keen 1685 Honaker Branch Road Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
(c) Patsy Moore 6985 Horn Mountain Road Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(d) Brenda Sue Justice 1101 Long Wall Lane Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne Rt 1 Box 157F Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(g) Ronnie Osborne Box 12 Oakwood, VA 24631	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(i) Richard Osborne P. O. Box 541 Keen Mountain, VA 24624	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen	(Deed of Gift to Joyce Lineberry Mae 3/16/03)			
(j.1.1) Joyce Lineberry Mae c/o Rose Mae P.O. Box 172 Cooleemee, NC 27014	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0094 acres 1/110 of 1.03 acres	0.01170%	0.00067%	0.00191%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.0343 acres 1/30 of 1.03 acres	0.04292%	0.00247%	0.00702%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns Heirs / Address Unknown	0.0343 acres 1/30 of 1.03 acres	0.04292%	0.00247%	0.00702%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton 1 Birch Street Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.00715%	0.00041%	0.00117%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

Acres in Unit			Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(c.2)	Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.00715%	0.00041%	0.00117%
(c.3)	Tammy D. Boyd 1005 Kents Ridge Road Richlands, VA 24641	0.0057 acres 1/180 of 1.03 acres	0.00715%	0.00041%	0.00117%
(c.4)	Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0057 acres 1/180 of 1.03 acres	0.00715%	0.00041%	0.00117%
(c.5)	Danny W. Elder P.O. Box 748 Raven, VA 24639	0.0057 acres 1/180 of 1.03 acres	0.00715%	0.00041%	0.00117%
(c.6)	Robert G. Elder 222 Law Ln. Charlotte C.H., VA 23923	0.0057 acres 1/180 of 1.03 acres	0.00715%	0.00041%	0.00117%
(4)	Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.1030 acres 1/10 of 1.03 acres	0.12875%	0.00740%	0.02105%
(5)	Joseph P. Horne 492 Gray Branch Road Cedar Bluff, VA 24609	0.1030 acres 1/10 of 1.03 acres	0.12875%	0.00740%	0.02105%
(6)	Nancy H. Stilwell 140 Rasnake Road North Tazewell, VA 24630	0.1030 acres 1/10 of 1.03 acres	0.12875%	0.00740%	0.02105%
(7)	Earnest Horn Heirs, Devisees, Successors or Assigns				
(a)	Dorothy Horn Heirs, Devisees, Successors or Assigns (Heirs/Addresses Unknown)	0.1030 acres 1/10 of 1.03 acres	0.12875%	0.00740%	0.02105%
(8)	Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.1030 acres 1/10 of 1.03 acres	0.12875%	0.00740%	0.02105%
(9)	Sarah Jane Horn Day P. O. Box 208 Peterstown, WV 24963	0.1030 acres 1/10 of 1.03 acres	0.12875%	0.00740%	0.02105%
(10)	Carl Horn Heirs, Devisees, Successors or Assigns				
(a)	Marilyn Taylor PO Box 285 Pounding Mill, VA 24637	0.1030 acres 1/10 of 1.03 acres	0.12875%	0.00740%	0.02105%
- OR -					
(2)	Thomas Stilwell Heirs, Devisees, Successors or Assigns	1.03 acres	1.28750%	0.07399%	0.21050%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

		Acres in Unit	Percent of Unit	Division of Interest in	
				6-Right 5.74713%	7-Right 16.34981%
(1)	Beulah V. Osborne c/o Vivian Osborne, POA Box 500 Oakwood, VA 24631	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(2)	Raleigh Stilwell Heirs, Devisees, Successors or Assigns				
(a)	Martha J. aka Juanita Stilwell P.O. Box 54 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(3)	Paul Elmer Stilwell Heirs, Devisees, Successors or Assigns				
(a)	Virginia N. Stilwell, widow 1106 Dial Road Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(4)	Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	0.1288 acres 1/8 of 1.03 acres	0.16094%	0.00925%	0.02631%
(5)	Exie Osborne Heirs, Devisees, Successors or Assigns				
(a.1)	Myrtle Smith Heirs, Devisees, Successors or Assigns				
(a.1.1)	Nancy Jackson P.O. Box 448 Doran, VA 24612	0.0107 acres 1/96 of 1.03 acres	0.01341%	0.00077%	0.00219%
(a.1.2)	Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.0107 acres 1/96 of 1.03 acres	0.01341%	0.00077%	0.00219%
(a.2)	Maxie Boyd Box 972 Raven, VA 24639	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(a.3)	Ruth Osborne Smith Box 672 Doran, VA 24612	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(a.4)	Judy Blankenship Box 221 Doran, VA 24612	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(a.5)	John Osborne Box 6 Shortt Gap, VA 24647	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(a.6)	Ida Proffitt Box 6 Shortt Gap, VA 24647	0.0215 acres 1/48 of 1.03 acres	0.02682%	0.00154%	0.00439%
(6)	Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(a) Hubbard Osborne 3195 Osborne Mountain Rd. Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(b) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(c) Jerline Davis Box 204 North Tazewell, VA 24630	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(d) Arlin W. Osborne	<i>Transferred interest to d.1 per deed dated June 18, 2009</i>			
(d.1) Waldon Darrell Clifton PO Box 169 Richlands, VA 24641	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(e) Jackie D. Osborne 1995 Altizer Road Raven, VA 24639-1995	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(f) Daniel J. Osborne 1068 Harvest Moon Rd. Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(g) Sylvia A. Shelton 549 Jacks Creek Road Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(h) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(i) Lois Casey 5-112 Sunny Hills Dr. Cedar Bluff, VA 24609	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(7) Sylvester Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Cora Arnold Heirs, Devisees, Successors or Assigns				
(a.1) James H. Arnold, widower P. O. Box 626 Raven, VA 24637	0.0429 acres 1/24 of 1.03 acres	0.05365%	0.00308%	0.00877%
(b) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(c) Jay C. Stilwell Heirs, Devisees, Successors or Assigns				
(c.1) Connie Stilwell, widow P. O. Box 723 Raven, VA 24639	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right	7-Right
			5.74713%	16.34981%
(d) Wanda Hagy Box 1738 Richlands, VA 24641	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(e) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(f) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(g) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609-2216	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(8) Charlie Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	0.0429 acres 1/24 of 1.03 acres	0.05365%	0.00308%	0.00877%
(b) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(c) David W. Stilwell 507 E. Minnesota #107 Rapid City, SD 57701	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(d) Thomas H. Stilwell 27 Horseshoe Bend Fargo, ND 58104	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(e) Quentin A. Stilwell P. O. Box 154 Rhome, ND 58651	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(f) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
(g) Bernice R. Lamb 2124 County Road 116 International Falls, MN 56649	0.0143 acres 1/72 of 1.03 acres	0.01788%	0.00103%	0.00292%
<u>OIL & GAS CLAIMANT (Surface Owner)</u>				
(1) Danny McClanahan P. O. Box 547 Oakwood, VA 24631	1.03 acres	1.28750%	0.07399%	0.21050%

Tract #3A2, 2.03 acres

Escrow due to title conflict / Surface Claimant

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
<u>COAL OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	2.03 acres	2.53750%	0.14583%	0.41488%
<u>OIL & GAS OWNERSHIP</u>				
Linkous Horn Heirs, Devisees, Successors or Assigns	2.03 acres	2.53750%	0.14583%	0.41488%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.0677 acres 1/30 of 2.03 acres	0.08458%	0.00486%	0.01383%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.0677 acres 1/30 of 2.03 acres	0.08458%	0.00486%	0.01383%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.0677 acres 1/30 of 2.03 acres	0.08458%	0.00486%	0.01383%
(2) Lydia Blankenship Heirs, Devisees, Successors or Assigns				
(a) Mary Jane Keen 1077 Longwall LN Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
(b) Shirley Keen 1685 Honaker Branch Road Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
(c) Patsy Moore 6985 Horn Mountain Road Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(d) Brenda Sue Justice 1101 Long Wall Lane Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne Rt 1 Box 157F Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(g) Ronnie Osborne Box 12 Oakwood, VA 24631				
	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641				
	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(i) Richard Osborne P. O. Box 541 Keen Mountain, VA 24624				
	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen	(Deed of Gift to Joyce Lineberry Mae 3/16/03)			
(j.1.1) Joyce Lineberry Mae c/o Rose Mae P.O. Box 172 Cooleemee, NC 27014	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0185 acres 1/110 of 2.03 acres	0.02307%	0.00133%	0.00377%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(3) Henry Horn Heirs, Devisees, Successors or Assigns				
(a) Perry W. Horn P.O. Box 33 Raven, VA 24639	0.0677 acres 1/30 of 2.03 acres	0.08458%	0.00486%	0.01383%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(b) Larry M. Horn Heirs, Devisees, Successors or Assigns <i>Heirs / Address Unknown</i>	0.0677 acres 1/30 of 2.03 acres	0.08458%	0.00486%	0.01383%
(c) Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.1) Patricia D. Horton 1 Birch Street Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.01410%	0.00081%	0.00230%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.01410%	0.00081%	0.00230%
(c.3) Tammy D. Boyd 1005 Kents Ridge Road Richlands, VA 24641	0.0113 acres 1/180 of 2.03 acres	0.01410%	0.00081%	0.00230%
(c.4) Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0113 acres 1/180 of 2.03 acres	0.01410%	0.00081%	0.00230%
(c.5) Danny W. Elder P.O. Box 748 Raven, VA 24639	0.0113 acres 1/180 of 2.03 acres	0.01410%	0.00081%	0.00230%
(c.6) Robert G. Elder 222 Law Ln. Charlotte C.H., VA 23923	0.0113 acres 1/180 of 2.03 acres	0.01410%	0.00081%	0.00230%
(4) Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.2030 acres 1/10 of 2.03 acres	0.25375%	0.01458%	0.04149%
(5) Joseph P. Horne 492 Gray Branch Road Cedar Bluff, VA 24609	0.2030 acres 1/10 of 2.03 acres	0.25375%	0.01458%	0.04149%
(6) Nancy H. Stilwell 140 Rasnake Road North Tazewell, VA 24630	0.2030 acres 1/10 of 2.03 acres	0.25375%	0.01458%	0.04149%
(7) Earnest Horn Heirs, Devisees, Successors or Assigns				
(a) Dorothy Horn Heirs, Devisees, Successors or Assigns <i>(Heirs/Addresses Unknown)</i>	0.2030 acres 1/10 of 2.03 acres	0.25375%	0.01458%	0.04149%
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.2030 acres 1/10 of 2.03 acres	0.25375%	0.01458%	0.04149%
(9) Sarah Jane Horn Day P. O. Box 208 Peterstown, WV 24963	0.2030 acres 1/10 of 2.03 acres	0.25375%	0.01458%	0.04149%
(10) Carl Horn Heirs, Devisees, Successors or Assigns				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in 6-Right 5.74713%	7-Right 16.34981%
(a) Marilyn Taylor PO Box 285 Pounding Mill, VA 24637	0.2030 acres 1/10 of 2.03 acres	0.25375%	0.01458%	0.04149%
- OR -				
(2) Thomas Stilwell Heirs, Devisees, Successors or Assigns	2.03 acres	2.53750%	0.14583%	0.41488%
(1) Beulah V. Osborne c/o Vivian Osborne, POA Box 500 Oakwood, VA 24631	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(2) Raleigh Stilwell Heirs, Devisees, Successors or Assigns				
(a) Martha J. aka Juanita Stilwell P.O. Box 54 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(3) Paul Elmer Stilwell Heirs, Devisees, Successors or Assigns				
(a) Virginia N. Stilwell, widow 1106 Dial Road Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(4) Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	0.2538 acres 1/8 of 2.03 acres	0.31719%	0.01823%	0.05186%
(5) Exie Osborne Heirs, Devisees, Successors or Assigns				
(a.1) Myrtle Smith Heirs, Devisees, Successors or Assigns				
(a.1.1) Nancy Jackson P.O. Box 448 Doran, VA 24612	0.0211 acres 1/96 of 2.03 acres	0.02643%	0.00152%	0.00432%
(a.1.2) Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.0211 acres 1/96 of 2.03 acres	0.02643%	0.00152%	0.00432%
(a.2) Maxie Boyd Box 972 Raven, VA 24639	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(a.3) Ruth Osborne Smith Box 672 Doran, VA 24612	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(a.4) Judy Blankenship Box 221 Doran, VA 24612	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(a.5) John Osborne Box 6 Shortt Gap, VA 24647	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(a.6) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.0423 acres 1/48 of 2.03 acres	0.05286%	0.00304%	0.00864%
(6) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Hubbard Osborne 3195 Osborne Mountain Rd. Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(b) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(c) Jerline Davis Box 204 North Tazewell, VA 24630	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(d) Arlin W. Osborne	<i>Transferred interest to d.1 per deed dated June 18, 2009</i>			
(d.1) Waldon Darrell Clifton PO Box 169 Richlands, VA 24641	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(e) Jackie D. Osborne 1995 Altizer Road Raven, VA 24639-1995	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(f) Daniel J. Osborne 1068 Harvest Moon Rd. Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(g) Sylvia A. Shelton 549 Jacks Creek Road Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(h) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(i) Lois Casey 5-112 Sunny Hills Dr. Cedar Bluff, VA 24609	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(7) Sylvester Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Cora Arnold Heirs, Devisees, Successors or Assigns				
(a.1) James H. Arnold, widower P. O. Box 626 Raven, VA 24637	0.0846 acres 1/24 of 2.03 acres	0.10573%	0.00608%	0.01729%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
(b) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(c) Jay C. Stilwell Heirs, Devisees, Successors or Assigns				
(c.1) Connie Stilwell, widow P. O. Box 723 Raven, VA 24639	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(d) Wanda Hagy Box 1738 Richlands, VA 24641	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(e) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(f) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(g) Curtis Stilwell P.O. Box 2216 Cedar Bluff, VA 24609-2216	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(8) Charlie Stilwell Osborne Heirs, Devisees, Successors or Assigns				
(a) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	0.0846 acres 1/24 of 2.03 acres	0.10573%	0.00608%	0.01729%
(b) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(c) David W. Stilwell 507 E. Minnesota #107 Rapid City, SD 57701	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(d) Thomas H. Stilwell 27 Horseshoe Bend Fargo, ND 58104	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(e) Quentin A. Stilwell P. O. Box 154 Rhame, ND 58651	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(f) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%
(g) Bernice R. Lamb 2124 County Road 116 International Falls, MN 56649	0.0282 acres 1/72 of 2.03 acres	0.03524%	0.00203%	0.00576%

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
<u>OIL & GAS CLAIMANT (Surface Owner)</u>				
(1) Danny McClanahan P. O. Box 547 Oakwood, VA 24631	2.03 acres	2.53750%	0.14583%	0.41488%
<u>Tract #3B & 3C, 0.87 acres</u>				
<u>COAL OWNERSHIP</u>				
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.87 acres	1.08750%	0.06250%	0.17780%
<u>OIL & GAS OWNERSHIP</u>				
Linkous Horn Heirs, Devisees, Successors or Assigns	0.87 acres	1.08750%	0.06250%	0.17780%
(1) Arizona Osborne Heirs, Devisees, Successors or Assigns				
(a) Sydney Smith 1911 McVetty Road Salem, VA 24153	0.0290 acres 1/30 of 0.87 acres	0.03625%	0.00208%	0.00593%
(b) Kenneth R. Osborne 848 Peyton Street Roanoke, VA 24019	0.0290 acres 1/30 of 0.87 acres	0.03625%	0.00208%	0.00593%
(c) Martha Guilliams 1911 McVetty Road Salem, VA 24153	0.0290 acres 1/30 of 0.87 acres	0.03625%	0.00208%	0.00593%
(2) Lydia Blankenship Heirs, Devisees, Successors or Assigns				
(a) Mary Jane Keen 1077 Longwall LN Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
(b) Shirley Keen 1685 Honaker Branch Road Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
(c) Patsy Moore 6985 Horn Mountain Road Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(d) Brenda Sue Justice 1101 Long Wall Lane Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit	Division of Interest in	
			6-Right 5.74713%	7-Right 16.34981%
<hr/>				
(e) James R. Osborne P. O. Box 484 Keen Mountain, VA 24624	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(f) Clifford Osborne Heirs, Devisees, Successors or Assigns				
(f.1) Phyllis W. Osborne Rt 1 Box 157F Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(g) Ronnie Osborne Box 12 Oakwood, VA 24631	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(h) Charles M. Osborne 216 Plantation Drive Richlands, VA 24641	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(i) Richard Osborne P. O. Box 541 Keen Mountain, VA 24624	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(j) William Osborne Heirs, Devisees, Successors or Assigns				
(j.1) Ruth Keen	(Deed of Gift to Joyce Lineberry Mae 3/16/03)			
(j.1.1) Joyce Lineberry Mae c/o Rose Mae P.O. Box 172 Cooleemee, NC 27014	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				
(k) John David Osborne Heirs, Devisees, Successors or Assigns				
(k.1) Darlene B. Osborne Rt.1 Box 157 Raven, VA 24639	0.0079 acres 1/110 of 0.87 acres	0.00989%	0.00057%	0.00162%
<i>Royalty Split Agreements have been executed, but are in dispute. Royalties attributable to this interest are currently being escrowed.</i>				

Exhibit E
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants that require escrow

		Acres in Unit	Percent of Unit	Division of Interest in	
				6-Right	7-Right
				5.74713%	16.34981%
<hr/>					
(3)	Henry Horn Heirs, Devisees, Successors or Assigns				
(a)	Perry W. Horn P.O. Box 33 Raven, VA 24639	0.0290 acres 1/30 of 0.87 acres	0.03625%	0.00208%	0.00593%
(b)	Larry M. Horn Heirs, Devisees, Successors or Assigns <i>Heirs / Address Unknown</i>	0.0290 acres 1/30 of 0.87 acres	0.03625%	0.00208%	0.00593%, <i>0.58</i>
(c)	Ivory Horn Heirs, Devisees, Successors or Assigns				
(c.3)	Tammy D. Boyd 1005 Kents Ridge Road Richlands, VA 24641	0.0048 acres 1/180 of 0.87 acres	0.00604%	0.00035%	0.00099%
(c.4)	Margaret E. Dye 784 Big Creek Road Richlands, VA 24641	0.0048 acres 1/180 of 0.87 acres	0.00604%	0.00035%	0.00099% <i>0.00 0.16</i>
(4)	Thelma H. Osborne P. O. Box 33 Raven, VA 24639	0.0870 acres 1/10 of 0.87 acres	0.10875%	0.00625%	0.01778%
(7)	Earnest Horn Heirs, Devisees, Successors or Assigns				
(a)	Dorothy Horn Heirs, Devisees, Successors or Assigns <i>(Heirs/Addresses Unknown)</i>	0.0870 acres 1/10 of 0.87 acres	0.10875%	0.00625%	0.01778% <i>0.26</i>
(10)	Carl Horn Heirs, Devisees, Successors or Assigns				
(a)	Marilyn Taylor PO Box 285 Pounding Mill, VA 24637	0.0870 acres 1/10 of 0.87 acres	0.10875%	0.00625%	0.01778%

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants with Royalty Split Agreements

W9 still needed	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
<u>Tract #2A, 32.30 acres</u>					
<u>COAL OWNERSHIP</u>					
(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	32.30 acres	40.3750%	2.3204%	6.6012%	
<u>OIL & GAS OWNERSHIP</u>					
Thomas Stilwell Heirs, Devisees, Successors or Assigns	32.30 acres	40.3750%	2.3204%	6.6012%	
(1) Beulah V. Osborne c/o Vivian Osborne, POA Box 500 Oakwood, VA 24631	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	n/a
(2) Raleigh Stilwell Heirs, Devisees, Successors or Assigns					
(a) Martha J. aka Juanita Stilwell P.O. Box 54 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	n/a
(3) Paul Elmer Stilwell Heirs, Devisees, Successors or Assigns					
(a) Virginia N. Stilwell, widow 1106 Dial Road Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	
(4) Arthur M. Stilwell P.O. Box 314 Raven, VA 24639	4.0375 acres 1/8 of 32.30 acres	5.0469%	0.2901%	0.8252%	n/a
(5) Exie Osborne Heirs, Devisees, Successors or Assigns					
(a.1) Myrtle Smith Heirs, Devisees, Successors or Assigns					
(a.1.1) Nancy Jackson P.O. Box 448 Doran, VA 24612	0.3365 acres 1/96 of 32.30 acres	0.4206%	0.0242%	0.0688%	n/a
(a.1.2) Darlene Ward 117 Franklin Avenue Richlands, VA 24641	0.3365 acres 1/96 of 32.30 acres	0.4206%	0.0242%	0.0688%	n/a
(a.2) Maxie Boyd Box 972 Raven, VA 24639	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	n/a
(a.3) Ruth Osborne Smith Box 672 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	n/a
(a.4) Judy Blankenship Box 221 Doran, VA 24612	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	n/a

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants with Royalty Split Agreements

W9 still needed	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
(a.5) John Osborne Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	n/a
(a.6) Ida Proffitt Box 6 Shortt Gap, VA 24647	0.6729 acres 1/48 of 32.30 acres	0.8411%	0.0483%	0.1375%	n/a
(6) Flossie Stilwell Osborne Heirs, Devisees, Successors or Assigns					
(a) Hubbard Osborne 3195 Osborne Mountain Rd. Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a
(b) Linda S. Shelton P. O. Box 521 Pounding Mill, VA 24637	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a
(c) Jerline Davis 118 Coronado Rd. North Tazewell, VA 24630	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a
(d) Arlin W. Osborne	<i>Transferred interest to d.1 per deed dated June 18, 2009</i>				
(d.1) Waldon Darrell Clifton PO Box 169 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a
(e) Jackie D. Osborne 1995 Altizer Road Raven, VA 24639-1995	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a
(f) Daniel J. Osborne 1068 Harvest Moon Road Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	0.9496%
(h) Marvin J. Osborne P. O. Box 1607 Cedar Bluff, VA 24609	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a
(i) Lois Casey 5-112 Sunny Hills Dr. Cedar Bluff, VA 24609	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a
(7) Sylvester Stilwell Osborne Heirs, Devisees, Successors or Assigns					
(b) Leonard C. Stilwell P. O. Box 932 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a
(c) Jay C. Stilwell Heirs, Devisees, Successors or Assigns					
(c.1) Connie Stilwell, widow P. O. Box 723 Raven, VA 24639	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a
(d) Wanda Hagy Box 1738 Richlands, VA 24641	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	n/a

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants with Royalty Split Agreements

W9 still needed	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
(e) Bessie Lowe P. O. Box 47 Shortt Gap, VA 24647	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	<i>n/a</i>
(f) Theodore Stilwell HC66 Box 112A Whitewood, VA 24657	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	<i>n/a</i>
(8) Charlie Stilwell Osborne Heirs, Devisees, Successors or Assigns					
(a) Bernadine R. Lisburg 1418 First Avenue South Fargo, ND 58103	1.3458 acres 1/24 of 32.30 acres	1.6823%	0.0967%	0.2751%	<i>n/a</i>
(b) Gladys E. Pollert 1121 29 Street NW Fargo, ND 58102	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	<i>n/a</i>
(c) David W. Stilwell 507 E. Minnesota #107 Rapid City, SD 57701	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	<i>n/a</i>
(d) Thomas H. Stilwell 27 Horseshoe Bend Fargo, ND 58104	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	<i>n/a</i>
(e) Quentin A. Stilwell P. O. Box 154 Rhome, ND 58651	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	<i>n/a</i>
(f) Daniel J. Stilwell D77 El Rancho Trailer Ct. Mandan, ND 58554	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	<i>n/a</i>
(g) Bernice R. Lamb 2124 County Road 116 International Falls, MN 56649	0.4486 acres 1/72 of 32.30 acres	0.5608%	0.0322%	0.0917%	<i>n/a</i>

Tract #2B, 1.25 acres

COAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	1.25 acres	1.56250%	0.08980%	0.25547%	2.6459%
--	------------	----------	----------	----------	----------------

OIL & GAS OWNERSHIP

(1) CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701 <i>(Previously Walter Underwood, CNX Purchased from his heirs)</i>	1.25 acres	1.56250%	0.08980%	0.25547%	2.6459%
--	------------	----------	----------	----------	----------------

Tract #3B & 3C, 0.87 acres

COAL OWNERSHIP

(1) Hurt McGuire Land Trust c/o Charles Green P.O. Box 1067 Bluefield, VA 24605	0.87 acres	1.0875%	0.0625%	0.1778%	
--	------------	---------	---------	---------	--

Exhibit EE
Unit T-36
Docket # VGOB-98-0324-0625-07
List of Conflicting Owners/Claimants with Royalty Split Agreements

W9 still needed

	Acres in Unit	Percent of Unit	Division of Interest in		Percent of Escrow
			6-Right 5.74713%	7-Right 16.34981%	
<u>OIL & GAS OWNERSHIP</u>					
Linkous Horn Heirs, Devisees, Successors or Assigns	0.87 acres	1.0875%	0.0625%	0.1778%	
(3) Henry Horn Heirs, Devisees, Successors or Assigns					
(c) Ivory Horn Heirs, Devisees, Successors or Assigns					
(c.1) Patricia D. Horton 200 Birch Street Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.0003%	0.0010%	0.0102%
(c.2) Nellie A. Maynard P.O. Box 296 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.0003%	0.0010%	0.0102%
(c.5) Danny W. Elder P.O. Box 748 Raven, VA 24639	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.0003%	0.0010%	0.0102%
(c.6) Robert G. Elder 222 Law Ln. Charlotte C.H., VA 23923	0.0048 acres 1/180 of 0.87 acres	0.0060%	0.0003%	0.0010%	0.0102%
(5) Joseph P. Home 492 Gray Branch Road Cedar Bluff, VA 24609	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.0063%	0.0178%	0.1842%
(6) Nancy H. Stilwell 140 Rasnake Road North Tazewell, VA 24630	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.0063%	0.0178%	0.1842%
(8) Martha Smith P. O. Box 395 Max Meadows, VA 24360	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.0063%	0.0178%	0.1842%
(9) Sarah K. Day P. O. Box 208 Peterstown, WV 24963	0.0870 acres 1/10 of 0.87 acres	0.1088%	0.0063%	0.0178%	0.1842%

Exhibit A
Tract-by-Tract Escrow Calculation
 Account Balances as of 12/31/09

Unit T36
 VGOB 98-0324-0625-07
 Acres Escrowed: 23.621700

Owners	Tract #	Acres	Owner Acres	Interest	Total Tract Percent of Escrow	Owners' Percent of Escrow (60%)	Total Owners' Percent of Escrow (60%)	Amount Due Owners	Amount Due Owners
Hurt McGuire Land Trust - Coal	2a	2.6917			11.3950%	0.9496%	5.6075%	\$2,710.40	\$16,262.58
Thomas Silwell Heirs - O&G		32.30					8.6975%		\$16,262.58
Bellamy, Osborne			4.0376	1/8			8.6462%		Paid Out
Martha J. Silwell			4.0376	1/8			8.6462%		Paid Out
Virginia N. Silwell			4.0376	1/8			8.6462%		Paid Out
Arthur M. Silwell			4.0376	1/8			8.6462%		Paid Out
Nancy Jackson			0.3365	1/96			0.7122%		Paid Out
Darlene Ward			0.3365	1/96			0.7122%		Paid Out
Maxie Boyd			0.6728	1/48			1.4244%		Paid Out
Ruth Osborne Smith			0.6728	1/48			1.4244%		Paid Out
Judy Blairkenzie			0.6729	1/48			1.4244%		Paid Out
John Osborne			0.6729	1/48			1.4244%		Paid Out
Ida Profit			0.6729	1/48			1.4244%		Paid Out
Hubbard Osborne			0.4486	1/72			0.9496%		Paid Out
Linda S. Shelton			0.4486	1/72			0.9496%		Paid Out
Jennie Davis			0.4486	1/72			0.9496%		Paid Out
Walter Darrell Clifton			0.4486	1/72			0.9496%		Paid Out
Jackie D. Osborne			0.4486	1/72			0.9496%		Paid Out
Daniel J. Osborne			0.4486	1/72		0.9496%	0.9496%	\$2,710.40	\$2,710.40
Sylvia A. Shelton (No Agreement)			0.4486	1/72		0.9496%	0.9496%	\$2,710.40	\$2,710.40
Marvin J. Osborne			0.4486	1/72		0.9496%	0.9496%		Paid Out
Lois Casey			0.4486	1/72		0.9496%	0.9496%		Paid Out
James H. Arnold (No Agreement)			1.3458	1/24			2.8487%		Paid Out
Leonard C. Silwell			0.4486	1/72			0.9496%		Paid Out
Gornie Silwell (No Agreement)			0.4486	1/72			0.9496%		Paid Out
Wanda Hargy			0.4486	1/72			0.9496%		Paid Out
Bessie Lowe			0.4486	1/72			0.9496%		Paid Out
Theodore Silwell			0.4486	1/72			0.9496%		Paid Out
Curtis Silwell (No Agreement)			0.4486	1/72			0.9496%		Paid Out
Bernadine R. Leburg			1.3458	1/24			2.8487%		Paid Out
Gloria E. Polter			0.4486	1/72			0.9496%		Paid Out
David M. Silwell			0.4486	1/72			0.9496%		Paid Out
Thomas H. Silwell			0.4486	1/72			0.9496%		Paid Out
Quentin A. Silwell			0.4486	1/72			0.9496%		Paid Out
Daniel J. Silwell			0.4486	1/72			0.9496%		Paid Out
Bernice R. Lamb			0.4486	1/72			0.9496%		Paid Out
Hurt McGuire Land Trust - Coal	2b	1.25						2.6459%	\$7,552.19
CNX Gas Company LLC (Purchased from Waller Underwood heirs) - O&G								2.6459%	\$7,552.19
Hurt McGuire Land Trust - Coal	2e	0.29						0.6138%	\$1,752.11
Osborne Min. Pentecostal Church - O&G								0.6138%	\$1,752.11
Hurt McGuire Land Trust - Coal	2i	5.66						11.9593%	\$34,135.90
Michael Counts, et al. - O&G								11.9593%	\$34,135.90
Hurt McGuire Land Trust - Coal	2h	0.33						0.6985%	\$1,993.78
Rodney Taylor, et ux - O&G								0.6985%	\$1,993.78
Hurt McGuire Land Trust - Coal	3a	9.48						20.0663%	\$57,276.81
Linkous Horn Heirs - O&G (Title Conflic)								20.0663%	\$57,276.81
Hurt McGuire Land Trust - Coal	3a1	1.03						2.1802%	\$6,223.00
Linkous Horn Heirs - O&G (Title Conflic)								2.1802%	\$6,223.00

\$285,432.71

*Added Arthur's amount needed to recoup overpayment to Total Amount Due to Owners \$10,911.47
 Can be found under Y7

3/16/10 v60B

INSTRUMENT #100001526
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JUNE 10, 2010 AT 01:47PM

BEVERLY S. TILLER, CLERK
RECORDED BY: GGB